

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

THE UNITED STATES OF AMERICA,

V.

ROBERT C. MORGAN, et al.

*Defendants.*

[illegible]

18-CR-108-EAW

**NOTICE OF DEFENDANT ROBERT C. MORGAN'S MOTION FOR DISCOVERY ON THE GOVERNMENT'S VIOLATION OF THE PRIVILEGE PROTOCOL**

**PLEASE TAKE NOTICE** that Defendant Robert C. Morgan, through his undersigned counsel, moves this Court at the United States District Court for the Western District of New York, Kenneth B. Keating Federal Building, 100 State Street, Rochester, New York 14614, for an Order requiring the government to immediately produce (1) the 16,900 potentially privileged emails and their family members which were made accessible to the investigation team; (2) the identity of the individuals who comprise the government's privilege team; (3) the identity of the individuals who comprise the government's investigation team; (4) the written protocols governing the government's privilege review; and (5) details regarding the waiver of privilege that the government suggests it has received regarding Grand Atlas and Morgan Management business records.

PLEASE TAKE FURTHER NOTICE that, in support of its motion, Defendant relies upon the accompanying Declaration of Joel M. Cohen and supporting exhibits A and B, filed with the Court pursuant to Local Rule of Criminal Procedure 55(d), and any further submissions made hereafter.

Dated: February 20, 2020

Respectfully Submitted,

/s/ Joel M. Cohen

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